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EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF COMMERCE

NOTIFICATION

New Delhi, the 6th November 1967

S.O. 3965.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export (Quality Control and Inspection) Rules, 1964, namely:—

1. These rules may be called the Export (Quality Control and Inspection) Amendment Rules, 1967.

2. In the Export (Quality Control and Inspection) Rules, 1964—

(1) for rule 13, the following rule shall be substituted, namely:—

"13. *Approval of testing house, Surveyor and Sampler.*—(1) The Central Government shall accord approval to the testing house, surveyor or sampler in terms of sub-section (2) of section 7 and the grant of such approval shall be either on the basis of the recommendation of the Director on behalf of the Central Government, or on the basis of an application made by an applicant for such approval. The application shall be made to the Director of Inspection and Quality Control in Form I, containing a detailed statement of particulars of equipments and facilities available in the testing house or of the scheme of inspection or test which the surveyor or sampler follows for conducting physical and chemical tests, previous experience, the staff working in the testing unit and a general outlay of the premises in which the testing and sampling is proposed to be conducted.

(2) After the receipt of the application, the Director may direct the applicant to furnish any supplementary information or documentary evidence in support of any statement made by him in the

application, within such time as may be specified in the direction and where the applicant fails to comply with such direction, his application shall be liable to be rejected.

(3) On receipt of an application from any such testing house, surveyor or sampler, the Central Government, if it is satisfied, after making such enquiries as it may deem fit, on the basis of the information furnished by the applicant, recognise such organisation as an approved testing house, Surveyor or Sampler for the commodities mentioned and subject to such conditions, if any, as may be specified from time to time.

(4) The Central Government shall, on the basis of recognition under sub-rule (3), issue a certificate in Form II to the applicant. If the Central Government is of the opinion that any approval granted to any testing house, surveyor or sampler under this sub-rule, should, in the public interest be withdrawn, the Central Government may, after giving a reasonable opportunity to that testing house, surveyor or sampler, withdraw the approval granted to it.

(5) Every person in charge of a testing house and every surveyor and every sampler approved under this rule shall submit to the Director such statement in such form, as may be required from time to time and also a half-yearly statement containing the following particulars, namely:—

(i) number of applications received for testing or sampling or surveying;

(ii) number of applications attended to;

(iii) number of cases where certificate of test, sampling or surveying have been issued along with the number of non-issuance of the said certificate with reasons thereof;

(iv) quantity and value of goods dealt with (for samplers and surveyors)."

(2) For Forms I and II, the following Forms shall be substituted, namely:—

"FORM I

Application for recognition of Testing House, Surveyor and Sampler

[*See* rule 13(1)]

PART I

To

The Director of Inspection & Quality Control,
Ministry of Commerce, 14/1-B, Ezra Street, Calcutta-1.

Sir,

I/We, the firm/organisation known under the name and style..... ..... desire to be recognised as approved Testing House, Surveyors and Samplers for the pre-shipment inspection of the commodities as per list attached herewith (Annexure I).

2. I/We agree to undertake the work of testing, surveying or sampling subject to such conditions as may be required by the Central Government, from time to time.

3. I/We have read the rules regarding the pre-shipment inspection, testing, survey and sampling and undertake to abide by them.

Yours faithfully,

Signature and Seal or Stamp of the applicant.

PART II

Names of the constituents of the firms with their position and extent of interest.

Names *Position and extent of interest.*

2. Places where branch offices and testing house are situated.

3. Detailed account of each testing house,—

(a) Names and description of instruments, etc., available.
(b) Other equipments available.
(c) Names and qualifications of the technical staff working in these testing houses.

4. Previous experience in the field, if any.

5. Names of 10 exporters or foreign importers, on whose behalf the inspection, surveying and sampling, etc., was done.

6. Names of the commodity and the total quantity surveyed/inspected/sampled.

7. Whether any of these survey reports were rejected by the buyer? If so, the details may be given.

8. How long employed in the business of inspection/surveying/sampling.

9. Referees if any: (Here mention the names of 3 respectable export houses and 3 foreign import houses whom you like to mention as referees for reputation of business).

10. Names of the bankers to whom references can be made about the financial position of the applicant.

Signature and Seal or
Stamp of the applicant.

FORM II

[*See* rule 13(4)]

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE

Certificate of approval of testing house, surveyor and sampler.

In terms of section 7(2) of the Export (Quality Control and Inspection) Act, 1963, the Testing House, Surveyor and Sampler whose particulars are given below, having complied with prescribed procedure, is/are approved by the Central Government for testing and surveying and sampling, commodities set out in Schedule I that are intended for export.

Name.....
Address.....
Location of Testing House.....

II. This approval enables its holder to carry out examination of commodities and to issue certificate of examination in the matter provided in the Export (Quality Control and Inspection) Act, 1963 and Rules and orders issued thereunder and further to charge such fee, as is prescribed by the Central Government from the owner whose goods are examined.

III. This approval shall be valid from.....till further orders.

New Delhi
Dated:

Director of Inspection and Quality Control
for and on behalf of the Govt. of India."

[No. 40(1)/Exp.Insp./67.]

A. C. BANERJEE, Joint Secy.

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